

## **REMARKS**

In view of the above amendments and the following remarks, reconsideration and further examination are requested.

The Specification has been amended to correct the issues raised in the objection in item 3 on page 2 of the Office Action. The changes are presented in the attached Substitute Specification and Abstract. A clean copy and a marked-up copy of the Substitute Specification and Abstract are filed herewith. No new matter has been added.

Claims 1 and 2 have been canceled in favor of new claims 72 and 73. Claims 4-8, and 10-15, and 17 have been canceled in favor of new claims 74-85. Claims 21 and 22 have been canceled in favor of new claims 86 and 87. Claims 3, and 56-61 have been canceled in favor of new claims 88-94, and claims 18-20 have been canceled in favor of new claims 95-97.

Claims 9 and 16, which are drawn to non-elected species, have been indicated by the Examiner as being withdrawn. These claims are retained as pending claims. It is requested that upon allowance of the remaining claims, the Examiner rejoin and allow claims 9 and 16.

Claims 1, 12, and 59 have been objected to for informalities as indicated in items 5 and 6 on page 3 of the Office Action. The claim objections to claims 1, 12, and 59 have been addressed and corrected in new claims 72, 81, and 92, respectively.

Claims 8 and 58 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The issue indicated by the Examiner has been corrected in new claims 78 and 91.

Claims 1-4, 8, 21, 56, 58, and 61 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Mian (US 2001/0055812). This rejection is traversed and is submitted to be inapplicable to new claims 72-74, 78, 86, 88, 89, 91, and 94 for the following reasons.

Claim 72 newly recites that the “channel pattern comprising a first channel having a round shape comprising an inner circumference channel for injecting a buffer agent and an outer circumference channel serving as a measurement area for performing electrophoresis.”

The channel of Mian is a linear shaped channel having two end portions. Therefore, Mian does not disclose or suggest a “channel pattern comprising a first channel having a round shape comprising an inner circumference channel for injecting a buffer agent and an outer circumference channel serving as a measurement area for performing electrophoresis” as recited

in new claim 72. Accordingly, it is submitted that claims 72-74, 78, 86, 88, 89, 91, and 94 are not anticipated by Mian.

Claims 5, 8, 10, 11, 14, 15, 17, 22, 57, and 60 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mian. This rejection is traversed and is submitted to be inapplicable to new claims 75, 79, 80, 83-85, 87, 90, and 93 for the following reasons.

Each of claims 75, 79, 80, 83-85, 87, 90, and 93 ultimately depends on claim 72 discussed above. Since, as discussed above, Mian does not disclose or suggest all the features recited in claim 72, it is submitted that claims 75, 79, 80, 83-85, 87, 90, and 93 would not have been obvious in view of Mian to a person having ordinary skill in the art at the time the present invention was made.

Claims 2, 3, 12, 13, and 59 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mian in view of Miyake (US 5,174,162). This rejection is traversed and is submitted to be inapplicable to new claims 73, 81, 82, 88, and 92 for the following reasons.

Each of claims 73, 81, 82, 88, and 92 ultimately depends on claim 72 discussed above. Miyake does not provide the disclosure missing from Mian of the features recited in claim 72. Therefore, it is submitted that no obvious combination of Mian and Miyake would result in or otherwise render obvious the inventions recited in claims 73, 81, 82, 88, and 92.

Claims 18-20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mian in view of Tang (US 2002/0183000). This rejection is traversed and is submitted to be inapplicable to new claims 95-97 for the following reasons.

Each of claims 95-97 ultimately depends on claim 72 discussed above. Tang does not provide the disclosure missing from Mian of the features recited in claim 72. Therefore, it is submitted that no obvious combination of Mian and Tang would result in or otherwise render obvious the inventions recited in claims 95-97.

Claims 6 and 7 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Mian in view of Shimizu (US 2002/0014191). This rejection is traversed and is submitted to be inapplicable to new claims 76 and 77 for the following reasons.

Each of claims 76 and 77 ultimately depends on claim 72 discussed above. Shimizu does not provide the disclosure missing from Mian of the features recited in claim 72. Therefore, it is submitted that no obvious combination of Mian and Shimizu would result in or otherwise render obvious the inventions recited in claims 76 and 77.

In view of the above, it is submitted that claims 72-97, (and 9 and 16), are allowable over the prior art of record. It is submitted that the present application is in condition for allowance. The Examiner is invited to contact the undersigned by telephone should there be any remaining issues.

Respectfully submitted,

Yoshinori AMANO et al.

**/Jeffrey R. Filipek/**

By 2010.09.08 14:05:52 -04'00'

Jeffrey R. Filipek

Registration No. 41,471

Attorney for Applicants

JRF/fs  
Washington, D.C. 20005-1503  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
September 8, 2010